

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ILUMINADA ORTEGA,

Plaintiff,

-against-

ORDER
21 CV 1125 (HG) (CLP)

DIMITRI YAGUDAEV, *et al.*,

Defendants.

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POLLAK, United States Magistrate Judge:

Counsel for defendant CHAMPAGNE ROOM BK, INC. in the above-referenced case has filed a Motion to Withdraw as Attorney based on a breakdown of the attorney-client relationship. Defendant may file objections to counsel's motion to withdraw by sending a letter to the Court by December 15, 2023. If no objections are filed, counsel's motion to withdraw will be granted and defendant will be given thirty (30) days to find new counsel.

If the motion to withdraw is granted, the corporate defendant will need to retain new counsel or risk default, as corporations are not allowed to proceed *pro se*. See La Barbera v. Federal Metal & Glass Corp., 666 F. Supp. 2d 341, 348 (E.D.N.Y. 2009) (holding that "a failure to obtain counsel constitutes a failure to defend because corporations cannot proceed in federal court pro se") (citing Shapiro, Bernstein & Co. v. Continental Record Co., 386 F.2d 426, 427 (2d Cir. 1967) (per curiam) and Jones v. Niagara Frontier Transp. Auth., 722 F.2d 20, 22 (2d Cir. 1983)).

Defendant's counsel is directed to file proof of service of this Order on defendant by
December 1, 2023.

SO ORDERED.

Dated: Brooklyn, New York
November 29, 2023

/s/ Cheryl L. Pollak
Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York